

V. REMARKS

Claims 1-3 are objected to because all the informalities. The claims are amended to obviate the objection. Withdrawal of the objection is respectfully requested.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as anticipated by Mayville et al. (U.S. Patent No. 6,634,252). The rejection is respectfully traversed.

Mayville teaches a support for a motion transmitting remote control assembly that includes a support body and a retainer. The support body defines an axial opening disposed internally for supporting a control assembly and a slot groove disposed externally for receiving the edges of a slot in a bracket. The retainer is supported on the body and includes an annular ring supporting a pair of tabs for engaging a pair of recesses in the edges of the slot to retain the support body in the slot. The annular ring is endless to extend completely about the support body.

Claim 1, as amended, is directed to a one-touch cap for fixing a control cable end to a plate-like bracket having a U-shaped slot inside of which is provided with a stepped latching part in a detachable manner. Claim 1 recites that the one-touch cap includes a tubular body, the first and second flanges and an elastic piece. Claim 1 recites that the tubular body has a cable fixing part for fixing a cable end and an internal cavity extending along a longitudinal axis. Claim 1 also recites that the first flange is engaged with one surface of the bracket and the second flange is engaged with another surface with both flanges being provided on the outer surface of the body with an interval between the flanges. Further, claim 1 recites that the elastic piece is provided between the first and second flanges and have a base portion connected to a bottom of the tubular body below the longitudinal axis, an outer surface provided with an engaging claw disposed above the longitudinal axis to be engaged with the stepped latching part of the bracket and a free end extending upward above the longitudinal axis with the engaging claw positioned between the base portion and the free end.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 1 as amended. Specifically, it is respectfully submitted that the applied art fails to teach an elastic piece that is provided between first and second flanges and have a base portion connected to a bottom of a tubular body below a longitudinal axis, an outer surface provided with an engaging claw disposed above the longitudinal axis to be engaged with a stepped latching part of a bracket and a free end extending upward above the longitudinal axis with the engaging claw positioned between the base portion and the free end.

Furthermore, it is respectfully submitted that Applicants do not agree to the United States Patent and Trademark Office especially, where it is indicated that the second flange is numeral 34, lines 5 to 7 of the page 3 of the Office Action. The second flange in the Mayville should be indicated as numeral 30, because the second flange must engage with another surface of the bracket. Therefore, the elastic piece 46 is not provided between the first flange 30 and second flange 31.

As a result, it is respectfully submitted that, for at least the reasons discussed above, claim 1 is allowable over the applied art.

Claims 2-4 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

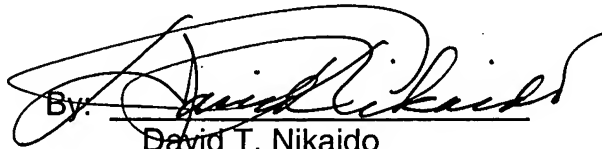
Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: January 25, 2005

By: 

David T. Nikaido
Reg. No. 22,663

Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal

DC180843.DOC